

A SYNOD WITHOUT A SYNOD BILL.

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His cause is in Him, and in Him should our chief con- 4

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ABSTRACT OF A BILL TO CONSOLIDATE AND AMEND THE LAWS RELATING TO THE CUSTOMS.

First following is an abstract of the above bill laid on the table of the Assembly by Mr. Weeks, and read a first time on Wednesday last:—

The preamble affirms the expediency of amending and consolidating the various Customs Acts.

1. The appointment of officers shall vest in the Governor and Executive Council, under the control and direction of the Colonial Treasurer.

2. All persons employed in the Customs to be deemed officers.

3. No officer, clerk, or other person shall accept any fee, perquisite, gratuity, or reward, pecuniary or otherwise, from persons not being appointed to some office in the Customs, under penalty of imprisonment for six months, or a fine of £100.

4. Every person appointed to any office or employment in the Customs will be required to make a declaration (appended to the bill) before entering on duty.

5. 6, and 7, relate to hours of attendance, holidays, and exemption from public obligations.

8 and 9 empower the Government to appoint ports, quays, warehouses, sunderland wharfs, landing and loading stations.

10. Warehouse-keepers to enter into a bond of £2000 each for the payment of full duties on goods warehoused by them.

11. The existing appointments and bonds to continue in force.

12. The collector of Customs may appoint places or stations for ships arriving at or departing from any port, under such restrictions as he may see fit; and he may also revoke any former order.

13. The collector of Customs is authorized to grant licenses to agents for transacting business connected with the entry or clearance of any ship or goods in ports or places where such license is required for fraud or misconduct, the copy of such order of revocation to be given to the person whose license has been cancelled; such person shall be at liberty to appeal. Persons taking out a license will be required to enter into a bond of £200 for the faithful conduct of himself, and the clerks acting for him. No one to act as clerk unless his name, residence, and date of appointment be recorded in a register kept at the Customs House.

14. The collector may appoint places where goods cleared for drawback, or from the warehouse, shall be carried; such goods to be removed only by persons licensed for that purpose, the security being left to the discretion of the collector.

15. All duties, drawbacks, and allowances to be under the control of the collector.

16. When new duties are imposed, the previous rate will continue until the new duties are changed.

17. All goods deposited in any warehouse without payment of importation duty shall, on being entered for home consumption, be subject to duties chargeable at the time of clearance from the warehouse.

18 and 19 relate to disputes that may arise with respect to duty payable. The importer or consignee shall deposit the amount of duty into the hands of the collector, and such deposit shall be taken as the proper duty payable on such goods, until an action is brought against such collector within three months; and if no such action shall be brought within the time specified, the amount of duty paid shall be applied to the use of her Majesty; and in such action, the collector shall be liable to be determined by law that the duty demanded and deposited was in excess of the proper rate, the difference shall be returned to the importer with interest at the rate of six per cent. per annum. Costs of suit to be paid out of the consolidated revenue.

20. Disputes between owners of ships, merchants, &c., and officers of Customs to be decided by the collector, subject to appeal.

21. The collector may remit or mitigate penalties, upon consideration of facts and circumstances connected with disputes.

22. Owner, merchant, importer, or shipper, feeling himself aggrieved or having cause of complaint against any officer of Customs, in respect of any duty due or omitted to be done, may, on application to the Colonial Treasurer, be referred to a committee of two persons appointed by him for that purpose, such enquiry to be conducted, as far as circumstances will permit, in conformity with the practices adopted in similar cases by the Customs.

23. The Colonial Treasurer, on the evidence being reported to him, shall make an order on the case, and such order shall have the same force and validity as if issued by any Justice of the Peace, and Justices of the Peace are required to enforce such order if produced to them, unless the party against whom the order has been made, shall, within one week give notice of his refusal to abide by such order to the collector, having a remedy by action in any court with jurisdiction.

24. 25, 26, and 27. Persons deposited to enquire into any dispute are empowered to enforce order and propriety of conduct, administer oaths, summon witnesses, and make regulations for conducting inquiries.

28. Dutiable goods may be placed on shore, and be appropriated for the purpose without payment of duty.

29. Time of importation and arrival defined upon first levying or repaying any duty, viz: when the ship importing goods is cleared by the collector, and the goods are landed, and if any question arise with respect to allowance upon such ship, exclusive of cargo, the time of arrival shall be deemed to be when the report of arrival or ought to have been made.

30. The following goods if imported into New South Wales, shall be destroyed, or disposed of as the collector may direct:—Copyright books, false money, coin of the realm not of the established weight or fineness, extracts of coffee, tea, or tobacco, indecent or obscene books, prints, or paintings, spirits (not being perfumed or medicinal) unless duly reported, snuff, tobacco, and cigars, and opium.

31. The importation of arms and ammunition may be prohibited by proclamation.

32. Ships to come to proper place of mooring with as little delay as possible, and masters of ships to provide necessary accommodation for Customs-house officers, under penalty of £20.

33. The officers of Customs to have access to all goods, to place seal upon any goods, and if such seal willfully broken or altered, or hatches opened, the master shall be subject to a fine of £100.

34. No goods to be landed, except between the hours of eight o'clock in the morning and four o'clock in the afternoon, from the 1st October to 1st April; and from four p.m. to four a.m. from the 1st April to the 1st October; and any goods landed or shipped without permission of Customs-house officer to be forfeited, together with any boat or barge employed for removing same.

35-38. Masters of vessels must report within twenty-four hours after arrival, and, failing to make such report, or making a false report, shall be subject to a penalty of £100.

39. Goods not duly reported to be detained until the cause of omission is explained. Collector to restore said goods on such terms as he may think proper.

40. Masters of vessels shall produce manifest of cargo, and if any goods shall be imported without such manifest the master shall forfeit the sum of £100.

41. Persons in charge of ships holding commissions from her Majesty's Customs, shall be required to pay for the goods on board, and on failure thereof shall pay a penalty of £100. Officers of Customs may freely go on board all such ships, and remove goods, subject to such regulations in respect of ships of war belonging to her Majesty as may be directed by the Governor and Executive Council.

42. Masters of vessels are, if required, to deliver bills of lading of any part of cargo on board, and to answer the questions of Customs-house officers.

43. Packages, the contents of which are reported as unknown, may be opened and examined; and if such packages contain prohibited goods they shall be forfeited, unless the collector shall permit them to be exported.

44. Importers of goods for home use, liable to Customs duties, shall deliver to the collector a bill of entry thereof before unshipment.

45. All duties to be paid before issue of bill of entry.

46. The importer of goods intended to be warehoused without payment of duty shall, within 48 hours of the report of the vessel, deliver to the collector a bill of entry; such bill of entry, when signed by the collector, to be transmitted to the proper officer, and he may be warrant for warehousing such goods.

47. Goods duly entered for home use or exportation, though not actually deposited in the warehouse, may be delivered to importer.

48. Importers of goods not subject to duties must deliver to the collector a bill of entry of such goods, and when signed and transmitted to the proper officer for the delivery of the goods.

49 and 50. Importers of goods, for which no perfect entry can be made, must subscribe a declaration that such entries from want of full information; the entry being signed by a collector, will be a warrant for examining the goods, and the entry to be perfected after such examination.

51. Goods entered by bill of light are not to be delivered until the bill of light is produced.

52. If the entry is not perfected the goods are to be removed to the Queen's warehouse, and if the im-

porter shall not, within one month after landing, make perfect entry, such goods may be sold for the payment of duties and charges of removal; any overplus to be paid to the importer. If entry shall not be made in manner required for due landing, the same shall be deemed goods landed without entry, and shall be forfeited.

53. All goods, the produce of the colony reimported into the same, shall be deemed foreign, unless the same shall be re-imported within five years, and proved to the satisfaction of the collector that the property still remains in the same person by whom it was exported.

54 and 55. Duplicates of bills of entry to be presented to the collector, and non-compliance with above regulations involves a penalty of £20.

56. No entry of goods shall be deemed valid, unless the said goods shall have been properly described.

57. Any goods concealed in packages to be forfeited, together with the other contents of the packages containing the same.

58. Surplus stores may be entered and warehoused as merchandise.

59. Unauthorised agents acting shall be liable to a penalty not exceeding £500.

60. Persons making application to any officer of Customs to transact business must produce his authority if demanded.

61. Samples of goods entered may be taken at the time of entry or afterwards, to be disposed of and accounted for to the collector as he may see fit.

62. Goods to be entered within twenty days after the arrival of the ship, provided she is not placed in quarantine, when the twenty days shall date from the day of release.

63. The expenses of guarding goods beyond twenty days to be paid at the rate of 10s. 6d. per diem.

64. Claims for remission of duty to be made on first examination.

65. Tobacco for sheep washing, rendered unfit for human consumption, to be admitted duty free.

66. Wines and spirits for military or naval officers serving on board, to be landed duty free or declaration to that effect.

67. Spirits and wines used in arts to be landed duty free.

68. Unshipping goods for examination to be at the expense of the importer.

69. Goods removed without authority of Customs-house officer to be forfeited.

70. 68 and 69. Landing-water to take account of goods landed, and duty to be paid according to such account.

71. All goods warehouse to be deposited in the original packages; and if deposited without the proper warrant or authority for that purpose, they are to be forfeited.

72. The collector may direct that goods are to be bulked, lotted, sorted, packed, and re-packed.

73. Goods to be properly stored in the warehouse.

74. Proprietors of bonded warehouses to produce goods deposited under a penalty of £5 for each package.

75. Entered goods not duly warehoused, or concealed, to be forfeited.

76. Importers or proprietors of warehoused goods who shall have clandestine access to goods warehoused shall for every offence pay a penalty of £100.

77. Warehouse keeper to be liable for goods stored in his warehouse.

78 and 79. No compensation shall be made for goods destroyed by fire; but duties may be remitted if destroyed by unavoidable accident.

80. Goods of suit to be paid out of the consolidated revenue.

81. Goods may be removed from one warehouse to another, and account of goods so removed to be transmitted to the proper officer, the receiver to enter into a bond for the re-warehousing of the same.

82. Goods removed to be subject to the same regulations on importation as if they were new.

83. Goods so removed may be exported, or duty paid on removal.

84. Warehoused goods to be cleared in three years. In case of delinquency or default between the quantity on landing and the quantity found on such examination, together with the necessary expense, subject to such allowance as shall be permitted thereon, the duty shall be paid down, and if demanded, the goods shall be re-warehoused in the name of the owner thereof.

85. Goods uncleared in three years to be sold.

86. On re-warehousing, if the collector is satisfied that the goods are the same, and the packages entire, and that there is no ground to expect undue deficiency, examination may be dispensed with.

87. After due notice, and with the sanction of the collector, goods may be re-warehoused, and may be re-gauged; and persons may be licensed as may port for the weighing, measuring, or gauging of the same.

88. No warehoused goods shall be delivered except upon due entry, and under care of the proper officer for exportation, or upon payment of full duties for home use.

89. Persons entering goods for home consumption, to deliver bill of entry and duplicates thereof.

90. No duty shall be charged on deficiencies of goods cleared for exportation, unless the Customs' officers be reasonable grounds for believing there has been illegal abstraction.

91. Warehoused goods not to be exported in ships under 50 tons.

92. Ships in which goods are to be exported must be cleared by proclamation.

93. Goods to be shipped at proper places and in legal hours.

94. Before any warehoused goods, or goods entitled to drawback, are exported, the collector is permitted to be exported, the collector shall enter into a bond in double the amount of duty to duty ship, export, and land the goods at the place for which they are entered outwards.

95. The exporter to deliver shipping bill with duplicates.

96. Drawbacks allowed on all dutiable goods for exportation (except spirits and tobacco imported into the colony), provided the goods are not re-exported, and such goods have been landed at the port for which they were cleared.

97. No drawback allowed on goods not worth duty.

98. Drawback will not be allowed unless due notice be given of intention to ship.

99. Bill of entry in respect of goods when no bond is required to be delivered before exportation.

100. Goods cleared must be removed by licensed persons.

101. Goods not to be cleared as produce of the colony unless re-exported to be forfeited.

102. If goods of exportation for delivery, removal, or exportation, be damaged or destroyed, the duties thereon may be remitted.

103. Debenture for payment of drawback to be presented to the collector for which they have been cleared.

104. Declaration on debenture that the goods have been actually exported.

105. Drawbacks to be paid within two years.

106. Goods not to be cleared for exportation, and for exportation that not be duly exported, the same shall be forfeited, together with any ship, boat, or craft; and any one assisting in the reloading of such goods will be liable to a penalty of £100.

107. Stores allowed from the warehouse for foreign bound vessels, and no stores shall be deemed to be such unless borne upon the vouching bill.

108. Inward cargo for exportation to be certified.

109. Before any ship shall be cleared, the master shall deliver to the collector a content or manifest of such ship; and, if required, the bill of lading, or a copy thereof, for every part of the cargo on board.

110. The collector may refuse to grant a clearance to any ship unless the documents and papers of such ship shall have been deposited at the Customs-house, before one o'clock of the afternoon of the day of clearance; and if any ship shall depart without such clearance, the master shall forfeit a sum of not more than £100, nor less than £20.

111. Goods liable to duty on importation taken for exportation and entitled to drawback if not shipped or illegally shipped shall be forfeited; goods landed at any port, and not shipped, shall be liable to a penalty of £100 for each package.

112. Officers of Customs may board any ship after clearance outwards within the limits of any port in the colony, and may search for and seize any prohibited goods.

113. The penalty for wilfully and illegally breaking seal, lock, or mark, is £100.

114. Ships not bringing to at stations appointed by the collector will be subject to a penalty of £20.

115. The time of exportation and departure.

116. The exportation of arms, ammunition, gunpowder, military and naval stores, may be prohibited by proclamation.

117. Goods unloaded at any time not within the limits of any port shall be liable to a penalty of £20.

118. The master of every ship must keep a cargo-

book, stating the names of the ship, owner, master, the cargo, and the port to which the cargo is bound, and an account of all goods on board; and if not correct the master shall pay a penalty of £20.

119. Before any coasting ship shall depart from the port of loading, a duplicate account shall be delivered to the collector; the original account, dated and signed by the collector, shall be returned to the master, which shall be the clearance of the ship for the voyage, and also the transfer for the goods exported thereon. If any account shall be false the master shall forfeit the sum of £20.

120. Within twenty-four hours after the arrival of any coasting vessel at the port of discharge, and before the goods are unladen, the transfer for the goods of the wharf where the goods are to be discharged shall be delivered to the collector; and if goods are unladen contrary hereto, the master shall forfeit the sum of £20.

121. Any officer of the Customs may board any coasting ship, and search and examine all goods. Masters of ships refusing to produce documents or papers on demand, will be liable to a penalty of £20.

122. Account may be taken of produce carried coastwise.

123. The collector to make rules for transshipment of goods. Goods transhipped without the authority of the proper officer shall be forfeited, and persons assisting illegally will be subject to a fine of £100.

124. Persons making false declarations relating to the customs, falsely answering questions, and counterfeiting documents, will be liable for every offence to a penalty of £100.

125. Persons employed in the conveyance of goods to be licensed.

126. Vessels without license, or licensed vessels not complying with the terms of the license, employed in the conveyance of goods, shall, with the cargo on board, be forfeited.

127 and 128. Bond in double the value of the vessel must be entered into before she is licensed, and the collector may revoke license.

129. Vessels removing uncustomed or prohibited goods forfeited.

130 and 131. Ships' boats to have the name of the ship, port, and master; other boats to have name of owner, and to be licensed.

132. British ships having places for concealing goods, or devices for running goods, and foreign ships having goods secreted, to be forfeited.

133. Goods shipped or unshipped without payment of duty, and prohibited goods concealed, shall be forfeited.

134. Restricted goods to be deemed run.

135. Vessels belonging to subjects of her Majesty, and vessels loaded with a certain distance from the coast with certain goods on board, to be forfeited with the goods.

136. Any vessel or boat arriving within any port, bay, harbour, or river of the colony, having prohibited goods on board, shall be forfeited, unless it be shown to the satisfaction of the collector that such goods were on board without the knowledge of the master.

137. Ships arriving in port with a cargo, and afterwards found in ballast without having legally discharged their cargo, shall be forfeited.

138. Ships from which goods shall be taken on board, or from which goods shall be taken on board, shall be forfeited, unless it be shown to the satisfaction of the collector that such goods were on board without the knowledge of the master.

139. Ships of her Majesty's subjects having on board stores or other goods, which goods are shown on board or destroyed, shall be forfeited.

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